

1 The Honorable Marsha J. Pechman  
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10 UNITED STATES DISTRICT COURT  
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WESTERN DISTRICT OF WASHINGTON  
SEATTLE DIVISION

WISTRON CORPORATION, a Taiwan  
corporation,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD., a  
Republic of Korea corporation;  
SAMSUNG ELECTRONICS AMERICA,  
INC., a New York corporation; and  
SAMSUNG TELECOMMUNICATIONS  
AMERICA, LLC, a Delaware limited  
liability company,

Defendants.

CASE No. C08-1373-MJP  
JURY DEMANDED

**STIPULATION AND ORDER FOR  
DISMISSAL WITHOUT PREJUDICE**

SAMSUNG ELECTRONICS CO., LTD., a  
Republic of Korea corporation;  
SAMSUNG ELECTRONICS AMERICA,  
INC., a New York corporation; and  
SAMSUNG TELECOMMUNICATIONS  
AMERICA, LLC a Delaware limited  
liability company,

Counterclaimants,

v.

WISTRON CORPORATION, a Taiwan  
corporation,

Counterclaim-defendant.

STIPULATION AND [PROPOSED] ORDER FOR  
DISMISSAL WITHOUT PREJUDICE;  
CASE NO. C08-1373-MJP - 1

DLA Piper LLP (US)  
701 Fifth Avenue, Suite 7000  
Seattle, WA 98104-7044/Tel. 206.839.4800

## I. STIPULATION

Pursuant to Federal Rule of Civil Procedure Rule 41(a)(1) and (c), Plaintiff and Counterclaim-Defendant Wistron Corporation, by and through its counsel of record, and Defendants and Counterclaim-Plaintiffs Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Samsung Telecommunications America, LLC. (collectively, “Samsung”), by and through their counsel of record, agree and stipulate as follows:

1. All claims and counterclaims in this action brought by Wistron against Samsung or by Samsung against Wistron are hereby dismissed without prejudice; and

2. Each party is to bear its own costs and attorneys' fees in connection with these claims and counterclaims.

Dated: February 2, 2009

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**ATTORNEYS FOR PLAINTIFF WISTRON  
CORPORATION**

Dated: February 2, 2009

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SAMSUNG ELECTRONICS CO., LTD.,  
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AND SAMSUNG TELECOMMUNICATIONS  
AMERICA, LLC**

## II. ORDER

PURSUANT TO STIPULATION, this matter is hereby dismissed without prejudice, with all parties to bear their own attorneys' fees and costs.

IT IS SO ORDERED.

Dated this 2<sup>nd</sup> day of February, 2009.

Marsha J. Pechman  
Marsha J. Pechman  
United States District Judge

Presented by:

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